

### REMARKS

Claims 1-11, 13-21 and 32-40 are now pending in the application. Claims 1-11, 13-21, and 32-40 are amended. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks herein.

#### *Claim Rejections-35 U.S.C. § 103(a)*

Claims 1-22 and 32-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,532,218 to Shaffer et al. ("Shaffer") in view of U.S. Patent No. 6,907,011 to Miller et al. ("Miller"). This rejection is respectfully traversed.

In relevant part, each of claims 1, 14 and 32 have been amended to include the features of assigning users to a set of users that exchange status messages with one another, and registering subscriptions for a conference data stream with a content based messaging (CBM) network to define a sub-set of users of the set of users, the sub-set of users including fewer users than the set of users. Each of claims 1, 14 and 32 further include the features of presenting the status messages to every user of the set of users, and publishing a conference message that is only received by users of the sub-set of users. Accordingly, a set of users (e.g., peers A, B, C, D) exchange status messages with one another, and only a sub-set of the set users (e.g., peers A, B, C) receives conference messages. Consequently, a user of the set of users (e.g., peer D) can exchange status messages with other users of the set of users (e.g., A, B, C), but not exchange conference messages with the other users (see, for example, paragraphs [0044]-[0046]).

As discussed in further detail below, Shaffer fails to disclose the features of assigning users to a set of users that exchange status messages with one another, registering subscriptions for a conference data stream with a content based messaging (CBM) network to define a sub-set of users of the set of users, the sub-set of users including fewer users than the set of users, presenting the status messages to every user of the set of users, and publishing a conference message that is only received by users of the sub-set of users. As also discussed in further detail below, Miller fails to cure the deficient disclosure of Shaffer.

As discussed in Applicants' previous response, Shaffer generally describes a multimedia collaborative conferencing system. More specifically, the system of Shaffer moderates who among multiple users controls a video graphics output of a conferencing server (see col. 2, lines

59-62). The server, in turn, controls which of the participants has immediate access to the video output port, and enables local participants, who do not have control, to access a shared version of a presentation for display on local computers (see col. 3, lines 1-12). Accordingly, only participants that are connected to the system of Shaffer, and that are actively involved in the video conference are able to receive video data from the conferencing server. Furthermore, Shaffer does not describe bifurcated messages. For example, Shaffer does not describe the exchange of both conference data and status data. Consequently, Shaffer does not describe a set of participants, all of which receive status messages, and a sub-set of participants, all of which receive status messages and conference messages. The disclosure of Shaffer inherently provides that all of the participants in the conference receive all of the data that is transmitted through the conferencing server.

Miller is not seen to remedy the deficiencies of Shaffer. In particular, Miller describes the passing of messages or data using a publish/subscribe system. As with Shaffer, Miller does not does not describe bifurcated messages (i.e., the exchange of both conference data and status data), and does not describe a set of participants, all of which receive status messages, and a sub-set of participants, all of which receive status messages and conference messages. Consequently, Miller fails to cure the deficient disclosure of Shaffer.

For at least these additional reasons, neither Schaffer nor Miller disclose the features of claims 1, 14 and 32.

Each of claims 1, 14 and 32 further include the features of determining if any users of the sub-set of users are subscribed to the conference data stream, halting publishing of the conference message, if it is determined that no users of the sub-set of users are subscribed to the conference data stream, and restarting publishing based on information that users of the sub-set of users are subscribed to the conference data stream. As discussed in further detail below, Shaffer fails to disclose such features, and Miller fails to cure the deficient disclosure of Shaffer.

Although it is true that Shaffer is understood to allow only one of the participants of a conference room to seize control of an SVGA output port of the conferencing port at any given time, it is also true that this data is believed to be shared amongst all, not a sub-set of, remaining participants physically connected to the conferencing server, and not those participants that have subscribed to the conference data stream. Furthermore, Shaffer is devoid of any reference to the

features of halting a conference data stream if no participants are subscribed, or restarting publishing based on receiving information that a new participant has subscribed. Miller is not believed to describe, nor does the Office Action even assert that Miller describes, at least the above-described features. Accordingly, the combination of references does not support a prima facie case of obviousness.

For at least these additional reasons, neither Schaffer nor Miller disclose the features of claims 1, 14 and 32.

In view of the foregoing, the combination of Schaffer and Miller fail to disclose all of the features of claims 1, 14 and 32. Therefore, reconsideration and withdrawal of the rejections are respectfully requested.

Each of claims 2-11, 13, 15-21 and 33-40 ultimately depends from one of claims 1, 14 and 32, which define over the asserted references, as discussed in detail above. Consequently, each of claims 2-11, 13, 15-21 and 33-40 also define over the asserted references for at least the same reasons. Therefore, reconsideration and withdrawal of the rejections are respectfully requested.

#### Other Claim Amendments

Each of claims 2-11 and 13, 15-21 and 33-40 have been amended to conform to amended claims 1, 14 and 32, respectively, discussed in detail above. Claims 12 and 22 have been cancelled without prejudice or disclaimer of the subject matter therein.


CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reason for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to amendment. Applicants respectfully request consideration of all filed IDS' not previously considered, by initialing and returning each Form 1449.

No charges are believed due. However, if any fees are due, they are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply all charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 13909-097001.

Respectfully submitted,

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Ryan McCarthy  
Reg. No. 50,636

Fish & Richardson P.C.  
One Congress Plaza, Suite 810  
111 Congress Avenue  
Austin, TX 78701  
Telephone: (512) 472-5070  
Facsimile: (512) 320-8935